

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

BENEFICIAL INNOVATIONS, INC., §
Plaintiff, §
§
VS. § Civil Action No: 2:07-cv-555 (TJW/CE)
§
AOL LLC, a Delaware limited liability § Jury Trial Demanded
company; THE DALLAS MORNING §
NEWS, INC., a Delaware corporation; §
GOOGLE INC., a Delaware corporation; IGN §
ENTERTAINMENT, INC., a Delaware §
corporation; MORRIS COMMUNICATIONS §
COMPANY, LLC, a Georgia limited liability §
Company; TRIBUNE INTERACTIVE, INC., §
A Delaware corporation; YAHOO! INC., a §
Delaware corporation; and YOUTUBE, LLC, §
a Delaware limited liability company, §
§
Defendants. §

**PLAINTIFF BENEFICIAL INNOVATIONS, INC.'S
MOTION TO DISMISS IGN ENTERTAINMENT, INC. WITH PREJUDICE**

COMES NOW Plaintiff Beneficial Innovations, Inc., pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(i), and respectfully moves the Court to dismiss with prejudice all claims asserted by Plaintiff Beneficial Innovations, Inc., against Defendant IGN Entertainment, Inc., and in support thereof would respectfully show the Court as follows:

I.

All matters in controversy between Plaintiff, Beneficial Innovations, Inc., and Defendant IGN Entertainment, Inc., have been settled. Defendant IGN Entertainment, Inc. has neither answered nor filed a motion for summary judgment in this action. Plaintiff Beneficial Innovations, Inc. therefore moves to dismiss all claims asserted against Defendant IGN

Entertainment, Inc. with prejudice pursuant to Federal Rule of Civil Procedure Rule 41(a)(1)(A)(i). Plaintiff Beneficial Innovations, Inc., further moves that all attorneys fees and costs of court be borne by the party that incurred them.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Beneficial Innovations, Inc. prays that all claims asserted against IGN Entertainment, Inc. be dismissed with prejudice, with all attorneys' fees and costs of court being borne by the party that incurred them.

Dated: January 15, 2008

Respectfully submitted,

By: /s/ Claire Abernathy Henry
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ATTORNEYS FOR PLAINTIFF
BENEFICIAL INNOVATIONS, INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on January 15, 2008. Any other counsel of record will be served by facsimile transmission and first class mail.

/s/ Claire Abernathy Henry